

08-25-00

6AU-28748

CONTINUED PROSECUTION APPLICATION (CPA)

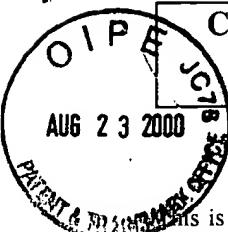
Request Transmittal

(Only for Continuation or Divisional Applications Under 37 CFR § 1.53(d))

Attorney Docket No.

Black & Decker 701

AUG 23 2000



TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a request for a (X) continuation () divisional application under 37 CFR § 1.53(d) Continued Prosecution Application (CPA), of prior Application No. 08/936,304, filed on September 24, 1997, and entitled:

Laser Level

SN: 08/936,304 9/18/00
#11/CPAROOM ✓ short

Name of Applicant(s): Dawei Dong

(X) The issue fee in the prior application has not been paid.
 (X) The prior application is abandoned under 37 CFR § 1.53(d)(2) as of the filing date of this continued prosecution application.
 (X) Please use the file jacket and all the contents of the prior application, including the specification, drawings, and entered amendments, to constitute the new application.

Foreign Priority - 35 USC § 119

() Foreign priority under 35 U.S.C. § 119 has been claimed in prior application No. _____ / _____ filed on _____ in (country) _____.
 () The certified copy has been filed in prior application No. _____ / _____ filed on _____.
 () A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

Other Amendments

(X) Before calculating the filing fee, amend the prior application as follows:
 (X) Cancel the following claims: 1-5.
 (X) Enter the enclosed preliminary amendment.
 () Enter the unentered amendment(s) previously filed on _____ under 37 CFR § 1.116 in the prior nonprovisional application. A copy of the amendment(s) is (are) enclosed.

Inventorship Statement

() Delete the following named inventors in the prior application as inventors in this application in accordance with 37 CFR § 1.53(d)(4) as a result of a change in the claimed subject matter: _____.

Assignment

(X) The prior application is assigned to Momentum Laser, Inc. and/or Black & Decker.

Enclosures

() Specification; _____ Total Pages. (X) Drawing(s); _____ Total Sheets.
 () Oath or Declaration:
 () A newly executed combined oath or declaration and power of attorney (37 CFR § 1.63(d)(4)).
 () A copy from a prior application for continuation/divisional (37 CFR § 1.63(d)(1)).
 () Incorporation by reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
 () Power of Attorney was changed during prosecution of prior application to Robert Moll.
 () Correspondence address was changed during prosecution of prior application to that shown below.
 () Priority Documents (if foreign priority is claimed).
 () Associate Power of Attorney.
 () Verified statement(s) to establish status as a small entity:
 () Is enclosed. () Small entity status is no longer claimed.
 () A statement was filed in the prior application, and small entity status is still proper and desired.
 (X) Return Receipt Postcard. (X) Preliminary Amendment(s). () Unentered Amendment(s).
 (X) A check in the amount of \$800 for the Filing Fee and Extension of Time.
 (X) Other: Petition for Extension of Time - One month.

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Filing Fee Calculation

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	1	0	\$9.00	\$.00
Independent Claims	1	0	\$39.00	\$ 39.00
Multiple Dependent Claim Fee (if applicable)				\$ 0.00
Assignment Recording Fee (if applicable)				\$ 0.00
Basic Filing Fee				\$690.00
			Total Filing Fee	\$690.00

Please charge \$_____ to Deposit Account No. _____ pursuant to 37 CFR § 1.25. At any time during the pendency of this application, the Commissioner is hereby authorized to charge any fees required or credit any overpayment to this Deposit Account. A duplicate copy of this sheet is enclosed for fee processing against this Deposit Account.

Respectfully submitted,

By: Robert Moll

Robert Moll
Attorney of Record
Reg. No. 33,741

Date: 8/23/00

Correspondence Address:

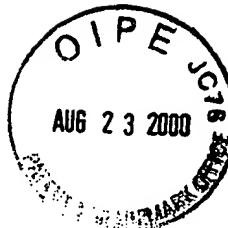
@PatentPlanet
1173 St. Charles Court
Los Altos, CA 94024
Phone: 650-567-9153
Fax: 650-567-9183

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I hereby certify that this paper is being sent by the
"Express Mail Post Office to Addressee" service
of the United States Postal Service to:
Assistant Commissioner for Patents,
Washington D.C. 20231, on: August 23, 2000.

By: Robert Moll

Robert Moll



#10
P/C

1 EXPRESS MAIL LABEL NO. EJ499928766US
2 I hereby certify that this paper is being sent by the
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of the United States Postal Service to:
3 Assistant Commissioner for Patents,
Washington D.C. 20231, on: August 23, 2000.

4 Robert Moll
5 Robert Moll

6 U.S. PATENT AND TRADEMARK OFFICE

7 PRELIMINARY AMENDMENT

8 In re Application of: Dawei Dong Prior Examiner: Leon Scott
9 Title: Laser Level Prior Art Unit: 2874
10
11 Prior Application No. 08/936,304 Attorney Docket No. Black & Decker 701
12 Prior Filing date: September 24, 1997

13
14 Assistant Commissioner for Patents
Washington, D.C. 20231

15 Dear Examiner:

16 IN THE CLAIMS:

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17 Please cancel claims 1-5 without prejudice or disclaimer of their subject matters.

18 Please new claim 6 as follows:

19
20 --6. A laser system, comprising:
21 a rotating shaft;
22 a motor coupled to the shaft adapted to drive the shaft more than 360 degrees in a
single direction;
23 an upper case for mounting the rotating shaft; and
24 a module housing attached to the rotating shaft, the module housing having a
mechanical axis and containing a laser projecting a beam, wherein the mechanical axis and the
center ray of the beam are perpendicular to the rotating shaft.--
25

26
27
28 Respectfully submitted,
29 Robert Moll
30 Robert Moll
Reg. No. 33,741
St. Charles Court
Los Altos, CA 94024
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fax: 650-567-9183
e-mail: rgmoll@patentplanet.com



10 / EXTENSION
of Time

1 EXPRESS MAIL LABEL NO. EJ499928766US
2 I hereby certify that this paper is being sent by the
3 "Express Mail Post Office to Addressee" service
of the United States Postal Service to:
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4 Robert Moll
5 Robert Moll

6 U.S. PATENT AND TRADEMARK OFFICE

7 PETITION FOR EXTENSION OF TIME

8 In re Application of: Dawei Dong Prior Examiner: Leon Scott
9
10 Title: Laser Level Prior Art Unit: 2874
11 Prior Application No. 08/936,304 Attorney Docket No. Black & Decker 701
12 Prior Filing date: September 24, 1997

13
14 Assistant Commissioner for Patents
Washington, D.C. 20231

15
16 Dear Examiner:

17
18 This is a petition to extend the time by one month for filing an appeal brief due on July 23, 2000.
19 Applicant has decided to seek a patent by filing the enclosed request for a continuing
20 prosecution application (CPA). Enclosed is a check to pay the filing fee as well as the extension
fee.

21 Respectfully submitted,

22
23 Robert Moll
24 Robert Moll
Reg. No. 33,741

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26 St. Charles Court
27 Los Altos, CA 94024
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29 fax: 650-567-9183
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